

S. 1164. A bill to state a policy of the United States that engages the People's Republic of China in areas of mutual interest promotes human rights, religious freedom, and democracy in China, and enhances the national security interests of the United States with respect to China, and for other purposes; to the Committee on Foreign Relations.

By Mr. GRASSLEY:

S. 1165. A bill to apply rules regarding the conduct of meetings and record-keeping under the Federal Advisory Committee Act to the Social Security Advisory Board and for other purposes; to the Committee on Finance.

By Mr. CAMPBELL:

S. 1166. A bill to prevent Federal agencies from pursuing policies of unjustifiable non-acquiescence in, and relitigation of, precedents established in the Federal judicial circuits; to the Committee on the Judiciary.

By Mr. INOUE (for himself and Mr. AKAKA):

S. 1167. A bill to amend the Tariff Act of 1930 to clarify the method for calculating cost of production for purposes of determining antidumping margins; to the Committee on Finance.

By Mr. LEVIN:

S. 1168. A bill for the relief of Retired Sergeant First Class James D. Benoit, Wan Sook Benoit, and the estate of David Benoit, and for other purposes; to the Committee on the Judiciary.

By Mr. REED:

S. 1169. A bill to establish professional development partnerships to improve the quality of America's teachers and the academic achievement of students in the classroom, and for other purposes; to the Committee on Labor and Human Resources.

By Ms. SNOWE:

S. 1170. A bill to establish a training voucher system, and for other purposes; to the Committee on Labor and Human Resources.

By Ms. MOSELEY-BRAUN:

S. 1171. A bill for the relief of Janina Altigracia Castillo-Rojas and her husband, Diogenes Patricio Rojas; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. HOLLINGS (for himself and Mr. ABRAHAM):

S. Con. Res. 52. A concurrent resolution relating to maintaining the current standard behind the "Made in USA" label, in order to protect consumers and jobs in the United States; to the Committee on Commerce, Science, and Transportation.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ALLARD:

S. 1162. A bill to amend the Controlled Substances Act and the Controlled Substances Import and Export Act with respect to penalties for powder cocaine and crack offenses; to the Committee on the Judiciary.

THE POWDER-CRACK COCAINE PENALTY
EQUALIZATION ACT OF 1997

Mr. ALLARD. Mr. President, today I rise to address one of the most longstanding and racially sensitive disputes in the criminal justice system. I am in-

roducing legislation to equalize the criminal penalties for offenses involving crack and powder cocaine.

Under current law, a seller of 5 grams of crack cocaine receives the same mandatory 5-year prison term as a seller of 500 grams of powder cocaine.

That disparity between penalties has been scrutinized by the U.S. Sentencing Commission, Congress, and the Clinton administration for the last several years. Although many solutions have called for narrowing the gap in penalties, these recommendations don't go far enough. Instead of equalizing the penalties, they only narrow the disparity in sentencing for powder versus crack cocaine by altering the ratio from 5 to 1 instead of the current 100 to 1.

Additional recommendations have called for lessening the penalty for crack dealers, bringing it closer to the lax penalties applied to powder offenders.

My legislation rejects the hollow solution of lowering the penalty for crack to make it equal to powder cocaine penalties. The fact is that 90 percent of those convicted of dealing crack are African-Americans, while the majority of powder cocaine offenders are white.

Raising the powder cocaine penalties to that of crack will help alleviate the perception of unfairness and racial bias in sentencing. But reducing the penalties for crack cocaine would only increase violent crime and harm those which the law is seeking to help.

Statistics remind us that cocaine addiction continues to plague our society. According to the Partnership for a Drug Free America, 1 out of every 10 babies born in the United States is born addicted to drugs, and most are addicted to crack cocaine. Crime exploded between 1985 and 1990, the years crack was introduced. In fact, violent crime went up 37 percent in 1990 and aggravated assaults increased 43 percent. Partly because of crack cocaine, more teens in this country now die of gunshot wounds than all natural causes combined. Lowering sentences on crack cocaine would be devastating to the progress we have made in fighting the drug war.

During the 1980's, Congress legislated steep consequences for crack cocaine.

The crack epidemic spread across our Nation—and it warranted several drastic legal reforms. We saw the destruction wrought on entire communities by this cheap and highly addictive form of cocaine and realized that tough penalties were needed to restrict its availability.

These tougher sentences were needed, but the problem we are seeing today is that powder cocaine sentences were set before the crack epidemic began and do not reflect the influence powder has had on crime and drug trafficking.

This bill provides a twofold solution: It corrects the inequality in penalties which has contributed to the perceived race bias in sentencing; while at the

same time stiffening the penalty for powder cocaine offenses, which are currently far too lenient.

In light of the numerous proposals introduced to correct this problem, I encourage my colleagues to contemplate the alternatives and consider how justice is served in this matter. Maintaining the current ratio is allowing a wrongful disparity in penalties to continue. Congress must act now to correct this injustice.

By Mr. BRYAN:

S. 1163. A bill to amend the Truth in Lending Act to prohibit the distribution of any negotiable check or other instrument with any solicitation to a consumer by a creditor to open an account under any consumer credit plan or to engage in any other credit transaction which is subject to that Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

THE UNSOLICITED LOAN CONSUMER PROTECTION
ACT

Mr. BRYAN. Mr. President, I rise today to introduce legislation that will protect consumers from a new, egregious banking practice that gives new meaning to the old expression, "The check's in the mail."

This practice involves financial institutions sending unsolicited checks to consumers, some of whom have no prior relationship with the financial institution at all. These checks in fact obligate the recipient to a loan with interest rates as high as 25 percent.

I invite my colleagues' attention to a format that is frequently used. This check is sent in a window envelope in which the recipient sees his or her name, opens it up and believes that indeed a check has been sent to him or to her.

What may at first appear to be penalties from Heaven is in reality a loan backed by exorbitant interest rates and punitive loan terms, but these details are only found in the fine print often on the back of the check.

While only a few banks are engaged in this practice, it is nevertheless a growing practice and needs to be stopped before it gets completely out of hand. For example, one bank has booked \$1 billion of these unsolicited loans in a period of 18 months.

At a time when personal bankruptcies are at an all-time high—many attribute that to easy credit-card debt—the practice in which consumers are enticed into taking a loan that they really have not sought should concern all Americans.

I fear for the long-term consequence of these loans should the economy take a sudden downturn and these loans are left in default.

The bottom line, Mr. President, is loans should only be issued when an application has been made and approved, with the consumer fully understanding the terms of the loan. In the case of these loans, all the pertinent information consumers need to know about